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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,400	04/03/2001	Mutsuhiro Yamanaka	15162/03500	1625

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EXAMINER

JELINEK, BRIAN J

ART UNIT PAPER NUMBER

2615

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/825,400

Applicant(s)

YAMANAKA ET AL.

Examiner

Brian Jelinek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/3/2001</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This is a first office action in response to application no. 09/825,400 filed on 4/3/2001 in which claims 1-16 are presented for examination.

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Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Onuki (U.S.

Pat. No. 6,429, 895).

25

Regarding claim 1, Onuki teaches an image taking apparatus having a multiplex image taking mode for taking a plurality of images to be subjected to multiplex image processing by which a plurality of images are composed into a single image (col. 22,

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lines 51-57; col. 20, lines 29-37), the image taking apparatus, comprising: a detector which detects abnormality disturbing said multiplex image processing when said plurality of images are being taken in said multiplex image taking mode (col. 23, lines 26-67; col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6); and a controller which suspends processing in said multiplex image taking mode when said abnormality is detected by said detector (col. 22, lines 60-67; col. 21, lines 24-25; col. 19, line 65-col. 20, line 6).

Regarding claim 2, Onuki teaches an image taking apparatus having a multiplex image taking mode for taking a plurality of images to be subjected to multiplex image processing by which a plurality of images are composed into a single image (col. 22, lines 51-57; col. 20, lines 29-37), the image taking apparatus, comprising: a detector which detects whether or not abnormality disturbing said multiplex image processing resides in said plurality of images taken in said multiplex image taking mode (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6); and a controller which suspends processing in said multiplex image taking mode when said abnormality is detected by said detector (col. 22, lines 60-67; col. 21, lines 24-25; col. 19, line 65-col. 20, line 6).

Regarding claim 3, Onuki teaches an image taking apparatus having a multiplex image taking mode for taking a plurality of images to be subjected to multiplex image processing by which a plurality of images are composed into a single image (col. 22, lines 51-57; col. 20, lines 29-37), the image taking apparatus, comprising: a detector which detects abnormality disturbing said multiplex image processing when said plurality of images are being taken in said multiplex image taking mode (col. 22, lines 60-67; col.

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21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6); and a display (Fig. 1, Display) which indicates that a multiplex image taking is unsuccessful when said abnormality is detected by said detector (col. 20, line 6; col. 20, lines 11-15; see also col. 41, line 65-col. 42, line 32).

5 Regarding claim 4, Onuki teaches an image taking apparatus having a multiplex image taking mode for taking a plurality of images to be subjected to multiplex image processing by which a plurality of images are composed into a single image (col. 22, lines 51-57; col. 20, lines 29-37), the image taking apparatus, comprising: a detector which detects whether or not abnormality disturbing said multiplex image processing
10 resides in said plurality of images taken in said multiplex image taking mode (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6); and a display (Fig. 1, Display) which indicates that a multiplex image taking is unsuccessful when said abnormality is detected by said detector (col. 20, line 6; col. 20, lines 11-15; see also col. 41, line 65-col. 42, line
15 32).

 Regarding claim 5, Onuki teaches an image taking method, comprising: detecting abnormality disturbing multiplex image processing when a plurality of images are being taken (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6), wherein said plurality of
20 images are subjected to said multiplex image processing to be composed into a single image (col. 22, lines 51-57; col. 20, lines 29-37); and suspending processing in said multiplex image taking mode when said abnormality is detected (col. 22, lines 60-67; col. 21, lines 24-25; col. 19, line 65-col. 20, line 6).

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Regarding claim 6, Onuki teaches an image taking method, comprising: detecting abnormality residing in a plurality of images taken by a multiplex image taking (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6), wherein said abnormality disturbs multiplex
5 image processing of said plurality of images by which said plurality of images are composed into a single image (col. 22, lines 51-57; col. 20, lines 29-37); and suspending processing in said multiplex image taking mode when said abnormality is detected (col. 22, lines 60-67; col. 21, lines 24-25; col. 19, line 65-col. 20, line 6).

Regarding claim 7, Onuki teaches an image taking apparatus having a multiplex
10 image taking mode for taking a plurality of images to be subjected to multiplex image processing by which a plurality of images are composed into a single image (col. 22, lines 51-57; col. 20, lines 29-37), the image taking apparatus, comprising: a display (Fig. 1, Display) which indicates that images are being taken in said multiplex image taking mode (col. 22, lines 38-41).

15 Regarding claim 8, Onuki teaches a camera, comprising: a selector which selects a first mode for taking a single image or a second mode for taking a plurality of images to be composed into a single image (col. 21, lines 26-31; col. 21, line 52-col. 22, line 32); and a display (Fig. 1, Display) which indicates said first mode or said second mode (col. 22, lines 38-41).

20 Regarding claim 9, Onuki teaches the display indicates said second mode so that a user can recognize said second mode (col. 22, lines 38-41).

Regarding claim 10, Onuki teaches a monitor for displaying an image to be taken, wherein said display is disposed at a location where a user can recognize said display together with said monitor (col. 22, lines 38-41).

Regarding claim 11, Onuki teaches a detector for detecting whether or not there is
5 abnormality disturbing said composing when images are being taken in said second mode (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6).

Regarding claim 12, Onuki teaches a controller which suspends processing in said second mode when said abnormality is detected by said detector (col. 22, lines 60-67; col.
10 21, lines 24-25; col. 19, line 65-col. 20, line 6).

Regarding claim 13, Onuki teaches a camera, comprising: a selector which selects a specific mode for taking a plurality of images to be composed into a single image among a plurality of image taking modes (col. 21, lines 26-31; col. 21, line 52-col. 22, line 32); a detector for detecting whether or not there is abnormality disturbing said
15 composing when said plurality of images are being taken in said specific mode (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6); and a controller which suspends processing in said specific mode when said abnormality is detected by said detector (col. 22, lines 60-67; col. 21, lines 24-25; col. 19, line 65-col. 20, line 6).

20 Regarding claim 14, Onuki teaches a camera, comprising: a selector which selects a specific mode for taking a plurality of images to be composed into a single image among a plurality of image taking modes (col. 21, lines 26-31; col. 21, line 52-col. 22, line 32); a detector which detects whether or not abnormality disturbing said composing

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resides in said plurality of images taken in said specific mode (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6); and a controller which suspends processing in said specific mode when said abnormality is detected by said detector (col. 22, lines 60-67; col. 21, lines 24-25; col. 19, line 65-col. 20, line 6).

Regarding claim 15, Onuki teaches a camera, comprising: a selector which selects a specific mode for taking a plurality of image to be composed into a single image among a plurality of image taking modes (col. 21, lines 26-31; col. 21, line 52-col. 22, line 32); a detector for detecting whether or not there is abnormality disturbing said composing when said plurality of images are being taken in said specific mode (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6); and a display (Fig. 1, Display) which indicates that said image taking in said specific mode is unsuccessful when said abnormality is detected by said detector (col. 20, line 6; col. 20, lines 11-15; see also col. 41, line 65-col. 42, line 32).

Regarding claim 16, Onuki teaches a camera, comprising: a selector which selects a specific mode for taking a plurality of images to be composed into a single image among a plurality of image taking modes (col. 21, lines 26-31; col. 21, line 52-col. 22, line 32); a detector which detects whether or not abnormality disturbing said composing resides in said plurality of images taken in said specific mode (col. 22, lines 60-67; col. 21, lines 24-25; Fig. 1, vibration sensors; col. 12, lines 17-23; col. 19, lines 18-25; col. 19, line 36-col. 20, line 6); and a display (Fig. 1, Display) which indicates that said image

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taking in said specific mode is unsuccessful when said abnormality is detected by said detector (col. 20, line 6; col. 20, lines 11-15; see also col. 41, line 65-col. 42, line 32).

Conclusion

5 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Jelinek whose telephone number is (703) 305-4724. The examiner can normally be reached on M-F 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone
10 number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status
15 information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

20

Brian Jelinek
10/29/2004



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